



June 22, 2006

TO: Transportation Authority of Marin Commissioners

FROM: Dianne Steinhauser, Executive Director

RE: Addendum 3 to TAM Contract with Community Design + Architecture - Agenda Item 6d

Dear Commissioners:

Executive Summary

On February 26, 2004, the Marin Congestion Management Agency approved a Professional Services Agreement with Community Design and Architecture to provide Transportation Planning services related to the preparation a Smart Growth “Best Practices” Toolkit and Marin Countywide Transportation for Livable Communities/Housing Incentive Program (TLC/HIP) (see attached contract). Two subsequent addendums to the contract modified the work scope components, amount, and timeline. The current contract expired on April 30, 2006.

Staff recommends extending the Community Design + Architecture contract for 1 year, to June 30, 2007, for the above described workload, with no changes to the contract amount at this time.

Recommendation: The TAM Board approve Addendum 3 to the Community Design + Architecture contract, extending the contract completion to June 30, 2007.

Background

On February 26, 2004, the Marin Congestion Management Agency approved a Professional Services Agreement with Community Design and Architecture to provide Transportation Planning services related to the preparation a Smart Growth “Best Practices” Toolkit and Marin Countywide Transportation for Livable Communities/Housing Incentive Program (TLC/HIP) (see attached contract). Two subsequent addendums to the contract modified the work scope components, amount, and timeline. The current contract expired on April 30, 2006.

Ongoing work with the TPLUS Advisory Committee and outreach efforts with each individual city/town on the TOD/PeD Toolkit and followup Parking Policy workshops have taken longer than anticipated to organize, prepare, and schedule. Staff support for TAM’s successful Local TLC and Local HIP programs is necessary, especially considering that these funds were swapped for Measure A money. This swap resulted in a lesser administrative burden for the project sponsors, but resulted in TAM staff, rather than Caltrans Local Assistance, administering and monitoring the delivery of these projects.

Staff is currently negotiating a revised work scope and amount to provide for increased and ongoing staff support for the Local TLC/HIP program and additional transportation planning work program support. It is anticipated that these changes would be brought to the TAM Board in July.

For the purposes of this contract addendum, the contract amount would remain unchanged at \$241,000. Staff recommends that the contract be extended retroactively from April 30, 2006 to June 30, 2007 to allow for continuation of the work program.

Recommendation: The TAM Board approve Addendum 3 to the Community Design + Architecture Contract for one year to June 30, 2006.

Attachment: Third Addendum to Agreement between TAM and Community Design + Architecture, dated June 22, 2006

THIRD ADDENDUM TO AGREEMENT BY AND BETWEEN
THE TRANSPORTATION AUTHORITY OF MARIN
(FORMERLY THE MARIN COUNTY CONGESTION MANAGEMENT AGENCY)
AND COMMUNITY DESIGN AND ARCHITECTURE, DATED FEBRUARY 26, 2004,
MODIFIED SEPTEMBER 23, 2004 and APRIL 28, 2005

THIS SECOND ADDENDUM is made and entered into this 22nd day of June 2006, by and between the Transportation Authority of Marin, hereinafter referred to as "TAM," and Community Design and Architecture, hereinafter referred to as "Contractor."

RECITALS:

WHEREAS, TAM and the Contractor entered into an agreement for transportation planning services related to implementation of the Marin Transportation Planning and Land Use Solutions (T-PLUS) work program, including the preparation of a Smart Growth "Best Practices" Toolkit and a Marin County Transportation for Livable Communities/Housing Incentive Program (TLC/HIP) dated February 26, 2004 and modified September 23, 2004 and further modified April 28, 2005 ("Agreement"); and

WHEREAS, the Agreement obligated Contractor to provide services set forth in "Exhibit A" attached to the Agreement; and

WHEREAS, Sections 6 and 14 to the Agreement obligated Contractor to complete the services by April 30, 2006; and

WHEREAS, the parties desire to amend the Agreement to extend the time to complete these services to April 30, 2007 with no increase to the maximum contract cost to TAM detailed in "Exhibit B" also attached to the Agreement.

NOW, THEREFORE, the parties agree to modify Sections 6 and 14 of the Agreement as set forth below.

AGREEMENT:

1. Sections 6, and 14 of the Agreement are hereby modified to read, as follows:

6. CONTRACT PERFORMANCE TIME

All the work required by this contract shall be completed and ready for acceptance no later than June 30, 2007.

14. TIME OF AGREEMENT

This Agreement shall commence on February 26, 2004 and shall terminate on June 30, 2007.

2. Except as otherwise provided herein all terms and conditions of the agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Third Addendum on the day first written above.

“TAM”

“CONTRACTOR”

TRANSPORTATION AUTHORITY MARIN

By: _____
Steve Kinsey, Chair

By: _____
Philip Erickson, Architect
President
Federal Tax I.D. #: 94-337-4089
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